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KERALA GAZETTE

EXTRAORDINARY

PUBLISHED BY AUTHORITY

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GOVERNMENT OF KERALA

Food (C) Department

NOTIFICATION

No. 10579/C1/77/Food. *Dated, Trivandrum, 2nd November*, 1978.

S. R. O. No. 1022/78.—Whereas the Government of Kerala are of the opinion that it is necessary and expedient so to do for maintaining the supplies of paper and for regulating production and supply of Exercise Books and for securing their equitable distribution and availability at fair prices.

Now, therefore, in exercise of the powers conferred by sub-sections (1) and (2) of section 3 of the Essential Commodities Act, 1955 (Central Act 10 of 1955) read with the orders of the Government of India in the Ministry of Industry & Civil Supplies (Department of Civil Supplies & Co-operation) S. O. 681 (E) and 682 (E) dated the 30th November, 1974 published in the Gazette of India Extraordinary Part II, Section 3, sub-section (ii) dated the 30th November, 1974 the Government of Kerala hereby make the following order, namely:—

The Kerala Paper and Exercise Books (Maintenance of Accounts and Display of Prices and Stocks) Order, 1978.

(1) *Short title, extent and commencement.*—(1) This Order may be called the Kerala Paper and Exercise Books (Maintenance of Accounts and Display of Prices and Stocks) Order, 1978.

(2) It extends to the whole of the State of Kerala.

(3) It shall come into force at once.

(2) *Definitions.*—In this Order, unless the context otherwise requires,—

(a) "Dealer" means a person carrying on the business of purchase or sale of paper or Exercise Books, whether wholesale or retail and whether or not in conjunction with any other business, and includes a manufacturer and a commission agent engaged in any such business, but does not include any Department of the Government of Kerala doing the said business;

(b) "Enforcement Officer" means any person appointed by order, of the State Government as Enforcement Officer in respect of such area as may be specified in such order, and where no such persons has been appointed, in any area, any officer of the Civil Supplies Department not below the rank of Rationing Inspector or any officer of the Police Department not below the rank of Sub Inspector having jurisdiction in that area; and any officer of the Education Department not below the rank of an Assistant Educational Officer;

(c) "Paper" includes writing paper, packing paper, wrapping paper, speciality paper, art paper and chromo paper;

(d) "Exercise Book" means books intended for the use of the students for preparing notes or memoranda of lessons and exercises;

(e) "retail dealer" means a dealer who sells paper or exercise books to a person other than a wholesale dealer;

(f) "Wholesale dealer" means a dealer who sells paper or exercise books to other dealers or to bulk consumers.

3. *Maintenance of Accounts.*—(1) Every dealer shall maintain a register of the daily accounts of his stock of different varieties of paper and Exercise Books showing correctly—

(a) the opening stock on each day;

(b) the quantities received during the day showing the place from where and the source from which the same are received;

(c) the quantities delivered or otherwise removed during the day showing the place of destination; and

(d) the closing stock at the end of the day.

(2) Every dealer shall complete his accounts for each day before the commencement of business on the next working day, unless prevented by reasonable cause, the burden of proving which shall be upon him.

(3) The provisions of this clause shall not apply to dealers who stock only 100 or less number of Exercise Books of all varieties at any time.

4. *Dealer not to withhold stocks from sale.*—No dealer shall withhold from sale paper or exercise books kept for sale.

5. *Dealer to issue receipt invoice or cash memo.*—Every dealer shall issue to every purchaser a correct receipt or invoice or cash memo, as the case may be, showing his own name and address, the date of transaction, the name of the commodity and the quantity sold, the price per unit of sale and the total amount charged and shall keep the duplicate of the same to be available for inspection:

Provided that for sales involving less than one rupee, a receipt, invoice or cash memo need not be issued:

Provided further that dealers who stock only 100 or less number of exercise books of all varieties at any time are exempt from this clause.

6. *Display of stocks and prices.*—(1) Every dealer shall exhibit at the entrance or some other conspicuous part of his place of business a statement indicating the stocks of different varieties of paper and exercise books in his possession available for sale at the commencement of each working day.

(2) Every dealer shall also display at the entrance or some other conspicuous part of his place of business on a special board to be maintained for this purpose the price at which each of the varieties of paper and exercise books are offered for sale.

(3) The statement of stock and the statement of price displayed under sub-clause (1) and sub-clause (2) shall be in English or in Malayalam or any other language understood by the majority of the consumers in the area concerned and the price in the international form of Indian numerals.

7. (1) No manufacturer or dealer shall misuse the paper allotted for production of exercise books or produce sub standard exercise books or sell the exercise books at prices other than those fixed by Government from time to time.

(2) "Every manufacturer/supplier/distributor of exercise books, shall for the due performance of his duties under this order, comply with the directions issued by the Government or other officers specified in this behalf by the Government from time to time."

8. *Dealer to give facilities for inspection.*—Every dealer shall give all facilities at all reasonable times to any Enforcement Officer or an Officer of the Government authorised by the District Collector in this behalf for inspection of his stocks and accounts at any shop, godown or other place used by him for the production, storage, sale or purchase of paper or exercise books.

9. *Power of entry, search and seizure.*—Any Enforcement Officer or any other officer of the Government authorised by the District Collector in this behalf, may with a view to secure compliance with the provisions of this Order, or to satisfy himself that the said provisions have been complied with—

(a) inspect any books of accounts or other documents maintained by a dealer in the course of business or any stock of paper or exercise book in his possession or under his control.

(b) seize any such books of accounts or other documents which in his opinion would be useful for or relevant to any proceedings under this Order;

(c) stop and search any person or animal, vessel or vehicles or any other conveyance or receptacles engaged or used or intended to be engaged or used for the movement of paper, or exercise books;

(d) enter and search any premises or places where there is reason to believe that paper or exercise books belonging to or in the possession or under the control of any stock holder is stored or kept;

(e) seize the stock of paper or exercise books in respect of which there is reason to believe that any provision of this order has been or is being or is about to be contravened along with the packages, coverings, or receptacles, in which stock is found or the animals, vessels, vehicles, boats or other conveyances, used in carrying such stocks and thereafter, take all measures necessary for securing the production of the stock along with such packages, coverings, receptacles, animals, vehicles, vessels or other conveyance so seized before the appropriate court and for their safe custody pending such production.

Explanation:

"Appropriate Court" in this sub clause shall mean such court as specified in or under the Essential Commodities Act, 1955 in which proceedings would lie for contravention of the provisions of this order and shall also include the Collector of the District referred to in section 6A of the Essential Commodities Act, 1955.

(2) The provisions of the Code of Criminal Procedure, 1973 (Central Act 2 of 1974), relating to search and seizure shall so far as may be, apply to search and seizure under this clause.

(3) Where any of the authorities specified in or under sub-clause (1) effects any seizure under the said sub clause he shall prepare forthwith an inventory of the varieties of paper or exercise books seized and shall also issue a receipt for the same.

(4) Any books of accounts or other documents seized under the provisions of sub-clause (1) shall be re-urned to the person from whom they were seized not later than sixty days from the date of seizure, after taking copies thereof or extracts therefrom, if necessary, provided the persons from whom they were seized certifies as true, such copies or extracts before taking such books of accounts or other documents.

By order of the Governor,

P. M. Abraham,
Special Secretary to Government.

Explanatory Note

(This is not part of the Notification)

Paper and Exercise Books are Essential Commodities and there is no price control over the commodities except the voluntary price control on writing and printing paper supplied to Education sector and to Central Government Departments. It is decided to make it obligatory on the stockists and retailers to display prominently the stock position of various varieties of paper and exercise books and the prices therefor. Hence this order.

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1978

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GOVERNMENT OF KERALA

Agriculture (AH) Department

NOTIFICATION

No. 72601/AH3/78/AD. *Dated, Trivandrum, 2nd November 1978*

The following is the Select list, as approved by the Government, of Officers for promotion to the categories of Chief Disease Investigation Officer in the cadre of Joint Director and Assistant Director/District Veterinary Officer, Animal Husbandry Department, prepared by the Departmental Promotion Committee.

Select List

I. Chief Disease Investigation Officer in the cadre of Joint Director for the year 1978.

Dr. P. David Jacob.

II. Assistant Director/District Veterinary Officer.

1. Dr. C. Gopinatha Pillai
2. Dr. M. Mohamed Ibrahim
3. Dr. K. V. Viswanathan
4. Dr. G. Madhavan Nair
5. Dr. S. M. Devadas.

N. Krishnan Nair,
Additional Secretary to Government,
Agriculture Department
Convenor,
Departmental Promotion Committee,
Animal Husbandry Department.

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